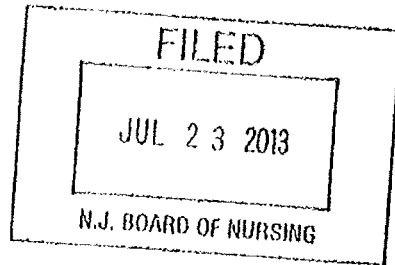
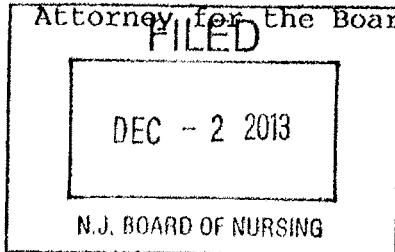


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR
REVOCATION OF THE CERTIFICATE OF

DAWN ROTHENBURGH, C.H.H.A.
License No. 26NH12900300

HOMEMAKER HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

PROVISIONAL ORDER OF DISCIPLINE

Finalized by Default on: 12/2/13

FINAL

This matter was opened to the New Jersey State Board of Nursing (the ABoard) upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Dawn Rothenburgh ("Respondent") was registered to practice as a homemaker-home health aide in the State of New Jersey on June 30, 2011 and has been registered at all times relevant hereto. (See L2K attached hereto and made a part hereof

as Exhibit A.)

2. On or about November 15, 2012, Respondent admitted in a sworn statement that she had sexual relationship with a patient that progressed over time. Specifically, Respondent admitted to kissing, fondling, and oral sex with the patient. (See Dawn Rothenburgh Sworn Statement dated November 15, 2012, attached hereto and made a part hereof as Exhibit B.)

CONCLUSIONS OF LAW

Respondent=s actions constitute professional misconduct in violation of N.J.S.A. 45:1-21(e).

ACCORDINGLY, IT IS on this 23rd day of July,
2012,

ORDERED that:

1. Respondent=s certificate to practice as a homemaker-home health aide is hereby provisionally suspended for a minimum of five (5) years.

2. Prior to any application for reinstatement of her registration, Respondent shall:

a) Appear before the Board, at the Board's discretion, to discuss her readiness to re-enter practice as a homemaker-home health aide. At that time Respondent shall be prepared to propose her plans for future practice in New Jersey and demonstrate she is fit and competent to practice

and has been rehabilitated to the Board's satisfaction.

b) Enroll in and complete a professional boundary course pre-approved by the Board.

3. Respondent may request a modification or dismissal of the above stated Findings of Fact or Conclusions of Law within 30 days of the date this Provisional Order is filed by:

- a) Submitting a written request for modification or dismissal to George Hebert, Executive Director, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent=s request for consideration and reasons therefor or offered in mitigation of penalty.

4. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order will be entered.

5. In the event that Respondent=s submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered,

the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

6. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD., APN, FAAN
Patricia Murphy, PhD., APN, FAAN
President